

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8753 of 2025

Arising Out of PS. Case No.-451 Year-2021 Thana- MOTIHARI MUFASIL District- East
Champaran

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Mintu Kumar @ Mintu Singh Son of Ram Naresh Singh Resident of village -
Bairiya, ps- bairiya, Dist- East champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s	:	Mrs.Rashmi Jha, Advocate
		Mr.Abhishek Kumar, Advocate
For the Opposite Party/s :		Mr.Zainul Abedin, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 06-03-2025 Heard Mrs. Rashmi Jha, learned counsel for the

petitioner and learned APP for the State.

2. The accused-petitioner, named in the F.I.R., is apprehending his arrest in connection with Muffasil P.S. Case No. 451 of 2021 registered for the offences punishable under Sections 302, 379, 34 of the Indian Penal Code. He has no criminal antecedent as stated in paragraph '3' of the application.

3. The allegation against the petitioner is to commit murder of husband of the informant namely, Rutan Devi.

4. Learned counsel Mrs. Rashmi Jha, while appearing on behalf of the petitioner submitted that initially upon



perusal of the F.I.R., it appears that informant projected herself being an eye witness of the occurrence, but, subsequently it transpires that merely on the basis of suspicion, she implicated this petitioner. It is pointed out that element of false implication can be gathered easily as petitioner was asked for false implication against cash of Rs. 10 Lakhs by mother of petitioner to other co-accused persons.

5. While concluding argument, it is submitted that the reason behind the alleged occurrence appears compromised between the parties, which is available through Annexure '2' of the present bail petition, and same was also filed before learned C.J.M., Motihari, East Champaran. It is submitted that petitioner is a man of clean antecedent.

6. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

7. In view of the aforesaid factual submissions and by taking note of the fact as the informant *prima-facie* not appears eye witness of the occurrence, where implication of petitioner purely founded upon suspicion, and F.I.R. itself discloses about the false implication of accused persons,



accordingly, above-named petitioner, in the event of his arrest/surrender within a period of four weeks from today, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari/concerned court in connection with Muffasil P.S. Case No. 451 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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